

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 JAMES DEAN WILKS,)
8 Petitioner,) Case No. C05-0235-RSM
9 v.)
10 REED HOLTGEERTS,) ORDER DISMISSING § 2254
11 Respondent.) PETITION WITHOUT PREJUDICE

12 The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's
13 answer to the petition, the Report and Recommendation of James P. Donohue, United States
14 Magistrate Judge, and the remaining record, does hereby find and Order:

15 (1) The Court adopts the Report and Recommendation.

16 (2) Petitioner's federal habeas petition (Dkt. No. 7) is DENIED, and this action is

17 DISMISSED without prejudice.

18 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for

19 respondent, and to Judge Donohue.

20 DATED this 14th day of October, 2005.


Ricardo S. Martinez
United States District Judge

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